

REGULAR CITY COUNCIL MEETING
FEBRUARY 26, 1996

PRESENT

Don Dafoe	Mayor
Gayle Bunker	Council Member
Glen Swalberg	Council Member
Robert Droubay	Council Member
Dale Roper	Council Member

ABSENT

Robert Dekker	Council Member
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OTHERS PRESENT

Dorothy Jeffery	City Recorder
Richard Waddingham	City Attorney
Neil Forster	Public Works Director
Bryce Ashby	Fire Chief
Gregory Schafer	City Employee
Mr. & Mrs. Craig Jones	City Residents
Barbara Pearson & Scouts	Boy Scouts of America
Deborah Greathouse & Scouts	Boy Scouts of America
Kathleen Noah & Scouts	Boy Scouts of America
Darin Phelps	Chronicle/Progress

Mayor Dafoe called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, the local radio stations, and to each member of the City Council by personal delivery two days prior to the meeting.

Council Member Gayle Bunker offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held January 8, 1996 were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Robert Droubay MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Glen Swalberg. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held January 22, 1996 were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Gayle Bunker MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Robert Droubay MOVED that the accounts payable be approved for payment as listed in the amount of \$109,404.28. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

NEW BUSINESS

BRYCE ASHBY, FIRE CHIEF: 1996 FIRE DEPARTMENT OFFICERS/FIRE DEPARTMENT REPORT

Mayor Dafoe asked Fire Chief Bryce Ashby to report on the 1996 election results for Fire Department Officers and to report on the activities of the Delta City Fire Department.

Fire Chief Ashby presented the following Fire Department Officers for 1996:

Bryce Ashby	Chief
Joe Poulsen	Asst. Chief
Lynn Ashby	Captain/Training Officer
Ben Johnson	Lieutenant
Rick Bublitz	Secretary

Chief Ashby then reported the following statistics for 1995:

- 88 Fire Calls
- 21 Rescue Truck Calls
- 16 Assists to other departments
- \$36,500 Fire Loss
- No Fire Fighter injuries
- 24 Volunteer Members
- 3 Public Building Fires in a row 1995-1996

Following brief discussion, Council Member Dale Roper MOVED to accept the 1996 Delta City Fire Department Officers as presented. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ATTORNEY RICHARD WADDINGHAM: PROPOSED RESOLUTION PROVIDING
AMENDMENTS TO RESOLUTION NO. 84-110 REGARDING WATER CONNECTION FEES
AND WATER DEVELOPMENT FEES

Mayor Dafoe asked Attorney Richard Waddingham to present a proposed resolution providing amendments to Resolution No. 84-110 regarding Water Connection Fees and Water Development Fees.

Attorney Waddingham presented the following proposed resolution entitled:

RESOLUTION NO. 96-239

A RESOLUTION AMENDING SECTION 2 OF RESOLUTION
84-110 ENTITLED "WATER SYSTEM CONNECTION FEES"
BY ESTABLISHING A NEW INSTALLATION COST
SCHEDULE AND A NEW WATER RIGHTS ACQUISITION
AND DEVELOPMENT FEE.

Attorney Waddingham reviewed the proposed resolution in detail and responded to questions.

Following discussion, Council Member Gayle Bunker MOVED to adopt Resolution No. 96-239 as presented. The motion was SECONDED by Council Member Glen Swalberg. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member Robert Dekker	Absent
Council Member Robert Droubay	Yes
Council Member Dale Roper	Yes
Council Member Glen Swalberg	Yes

Mayor Dafoe then signed the resolution. Mayor Dafoe's signature was attested to by City Recorder Dorothy Jeffery.

Craig Jones was in attendance and said that he and two other individuals have submitted applications for building permits, and he said that he feels that they should be charged according to the fee schedule in the previous ordinance.

Lengthy discussion was held and Council Member Gayle Bunker said that the City Council became aware that adjustments should be made to the water system user fees due to significant increases in material and installation costs. At the time of the three

applications, the applicants were told that fees were being amended and that the fees were of the City Council's discretion and that they may be required more than \$1,000.

However Councilman Droubay said that he felt that the three applicants should be charged under the previous ordinance, which was in place at the time of the applications and that all applications after adoption of the resolution should be charged according to the new fee schedule.

Following further discussion, Council Member Robert Droubay MOVED to exempt Craig Jones, Joe Young and Wes Bloomfield from paying their fees under the new resolution and allow them to pay the fee of \$1,000. The motion was SECONDED by Council Member Glen Swalberg. Mayor Dafoe asked if there were any further comments or questions regarding the motion. There being none, he called for a vote. The voting was as follows:

Council Member Gayle Bunker	No
Council Member Robert Dekker	Absent
Council Member Robert Droubay	Yes
Council Member Dale Roper	No
Council Member Glen Swalberg	Yes

The motion ended with a tied vote; therefore, Mayor Dafoe cast his vote, which was in the affirmative. The motion carried.

ATTORNEY RICHARD WADDINGHAM: RESOLUTION ESTABLISHING DELTA CITY'S PARTICIPATION IN SIDEWALK PROJECTS

Mayor Dafoe asked Attorney Richard Waddingham to present a proposed resolution establishing Delta City's participation in sidewalk projects.

Attorney Waddingham asked the City Council to clarify sidewalk preparation costs.

Mayor Dafoe explained that Delta City will pay one-half of sidewalk preparation costs, which include the following: Grading, 6" fill material, compacting base material prior to forming and pouring concrete for sidewalk, curb & gutter. The site preparations should meet Delta City's Construction Standards.

Council Member Gayle Bunker then MOVED to table discussion of this item until the next Regular City Council Meeting. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR DON DAFOE: RATIFICATION OF QUIT CLAIM DEED FOR PROPERTY TO BE USED AS A PUBLIC STREET

Mayor Dafoe explained he previously signed a Quit Claim Deed

authorizing certain property located at approximately 350 East 400 North to be used as a public street. He requested ratification of that action.

Following brief discussion, Council Member Gayle Bunker MOVED to ratify Mayor Dafoe's signature on a Quit Claim Deed on property to be used as a public street. The motion was SECONDED by Council Member Glen Swalberg. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ATTORNEY RICHARD WADDINGHAM: PROPOSED ORDINANCE REGARDING ZONE CHANGE FROM COMMERCIAL DEVELOPMENT TO RESIDENTIAL ON PROPERTY LOCATED AT 100 NORTH 300 WEST

Mayor Dafoe asked Attorney Richard Waddingham to present a proposed ordinance regarding a zone change from Commercial Development (CD) to Residential (R-4) on property located at 100 North 300 West.

Attorney Waddingham presented a proposed ordinance entitled:

ORDINANCE NO. 96-172

**AN ORDINANCE OF THE CITY COUNCIL OF DELTA,
UTAH AMENDING THE ZONE DISTRICT BOUNDARIES TO
RECLASSIFY CERTAIN PROPERTY FROM COMMERCIAL
DEVELOPMENT (CD) TO RESIDENTIAL (R-4).**

Mayor Dafoe explained that an application for a zone change was submitted by Mark Losee in order to construct a single-family dwelling at approximately 100 North 300 West. He said that the Planning Commission has reviewed and recommended the zone change, and a Public Hearing was held prior to the regular meeting and no opposition to the zone change was expressed.

COUNCIL MEMBER GAYLE BUNKER: EXPIRATION OF PLANNING COMMISSION MEMBER TERMS

Mayor Dafoe asked Council Member Gayle Bunker to discuss the expiration of Planning Commission Member terms.

Councilman Bunker requested that this item be tabled in order to allow further time to contact members. Therefore, Council Member Gayle Bunker MOVED to table discussion of this item until the next Regular City Council Meeting. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR DON DAFOE: PROPOSED DELTA NORTH ANNEXATION

Mayor Dafoe said that a petition was been submitted to Delta City for approval by several property owners in the proposed Delta North Annexation area. The petition has been signed by the following property owners:

Gary Bunker
Gayle Bunker
Dan Sperry
Millard School District
West Millard Jeep Posse
Delta, Sutherland, Oasis Cemetery District

Mayor Dafoe displayed a map of the proposed annexed area after which he read the following statement from Council Member Gayle Bunker:

"I, Gayle Bunker, a member of the Delta City Council and the Delta City Planning Commission, declare that I have an interest in the Delta North Annexation both as a property owner and as one who signed the Delta North Annexation petition. This annexation petition has been presented to Delta City for approval by the Delta City Council and Delta City Planning Commission."

Following discussion, Council Member Robert Droubay MOVED to accept the petition for the proposed Delta North Annexation. The motion was SECONDED by Council Member Glen Swalberg. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion carried with Councilman Bunker abstaining.

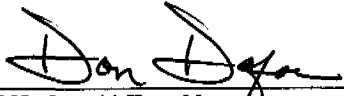
OTHER BUSINESS

Council Member Glen Swalberg presented a preliminary report to the Millard County Economic Development Board regarding Delta area industry types. He requested that this be placed on the agenda for the next Regular City Council Meeting.


Council Member Gayle Bunker said that the Old Time Fiddlers would like to schedule the Council Chambers twice a month to practice. The City Council decided that the Council Chambers should be used for non-profit organizational use only.

Mayor Dafoe asked if there were any comments, questions or items to be discussed. There being none, Council Member Dale Roper MOVED to

adjourn. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mayor Dafoe declared the meeting adjourned at 8:30 p.m.



DON DAFOE, Mayor



DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: SCCM 3-25-96